

Introduced March 7, 2011
Public hearing March 21, 2011
Council action June 6, 2011
Executive action June 8, 2011
Effective date June 1, 2011

County Council of Howard County, Maryland

2011 Legislative Session

Legislative day # 3

BILL NO. 7 - 2011 (ZRA - 121)

**Introduced by: The Chair
at the request of 10071 WBO LLC c/o Patriot Realty**

AN ACT amending the Howard County Zoning Regulations to permit increased residential density on certain CAC (Corridor Activity Center) zoned parcels and to allow the Director of the Department of Planning and Zoning to further reduce the minimum commercial space requirement under certain conditions; and generally relating to the CAC (Corridor Activity Center) zoning district.

Introduced and read first time March 7, 2011. Ordered posted and hearing scheduled.

By order Stephen M LeGendre
Stephen LeGendre, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of bill having been published according to Charter, the Bill was read for a second time at a public hearing on March 21, 2011 and concluded on March 21, 2011.

Tabled April 4, 2011.

Deadline extended and Tabled
May 2, 2011

By order Stephen M LeGendre
Stephen LeGendre, Administrator to the County Council

This Bill was read the third time June 6, 2011 and Passed ☒ Passed with amendments ☐ Failed ☐.

By order Stephen M LeGendre
Stephen LeGendre, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this 7th day of June, 2011 at 3:00 a.m./p.m.

By order Stephen M LeGendre
Stephen LeGendre, Administrator to the County Council

Approved/Retired by the County Executive on June 8, 2011.

[Signature]
Ken Utman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law.
~~Strikeout~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be it enacted by the County Council of Howard County, Maryland, that the*
2 *Howard County Zoning Regulations are hereby amended to read as follows:*

3
4 *By amending subsection D.1 and subsection E.3 of:*
5 *Section 127.5 "CAC (Corridor Activity Center) District"*

6
7 **Howard County Zoning Regulations**

8
9 **SECTION 127.5 CAC (Corridor Activity Center) District**

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11 **D. Bulk Regulations**

12
13 **1. Residential density:**

- 14
15 a. FOR CAC DEVELOPMENTS OF AT LEAST 5 GROSS ACRES
16 WITHIN 2,000 FEET OF A MARC STATION AND AT LEAST
17 1,000 FEET OF FRONTAGE ON THE ROUTE 1 RIGHT-OF-
18 WAY.....50 UNITS PER NET ACRE
19 [[a.]]B. For CAC Developments of at least 2 gross acres.....25 units per net
20 acre
21 [[b.]]C. For CAC Developments of less than 2 gross acres.....15 units per net
22 acre

23
24 **E. Requirements for CAC Development**

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26 **3. Requirements for Residential Uses**

- 27
28 [[b. The first floor of buildings adjoining the right-of-way of Route 1 shall not include
29 residential uses in the building space closest to the right-of-way of Route 1, with the
30 exception that such units may be approved in a development site that is both 20 acres
31 or greater and has 1,000 feet or greater lot frontage on the US Route 1 right-of-way, if
32 the Director of the Department of Planning and Zoning finds that the building and
33 streetscape design are in compliance with Chapter 5 of the Route 1 Manual concerning
34 building design, particularly the sections concerning mass and articulation and door
35 and window openings and residences occupy no more than 50% of the Route 1

frontage. Residences may occupy other portions of the first floor space.]]

- B. THE FIRST FLOOR OF BUILDINGS ADJOINING THE RIGHT-OF-WAY OF ROUTE 1 SHALL NOT INCLUDE RESIDENTIAL USES IN THE BUILDING SPACE CLOSEST TO THE RIGHT-OF-WAY OF ROUTE 1, WITH THE EXCEPTION THAT IF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING FINDS THAT THE BUILDING AND STREETScape DESIGN ARE IN COMPLIANCE WITH CHAPTER 5 OF THE ROUTE 1 MANUAL CONCERNING BUILDING DESIGN, PARTICULARLY THE SECTIONS CONCERNING MASS AND ARTICULATION AND DOOR AND WINDOW OPENINGS, SUCH UNITS MAY BE APPROVED IN A DEVELOPMENT SITE THAT HAS 1,000 FEET OR GREATER FRONTAGE ON THE ROUTE 1 RIGHT-OF-WAY AND IS:

- (1) 20 ACRES OR GREATER AND RESIDENCES OCCUPY NO MORE THAN 50% OF THE ROUTE 1 FRONTAGE, OR
- (2) 5 ACRES OR GREATER AND WITHIN 2,000 FEET OF A MARC STATION.

RESIDENCES MAY OCCUPY OTHER PORTIONS OF THE FIRST FLOOR SPACE.

- c. For every dwelling unit that is developed, 300 square feet of commercial space must be developed on the site. The Director of the Department of Planning and Zoning may, however, reduce the commercial space requirement to 100 [[200]] square feet per residential unit under the following conditions:

- (1) The site is constrained in terms of size, shape, environmental factors, [[or]] access, OR PROXIMITY TO EXISTING VICINAL COMMERCIAL DEVELOPMENT in a manner that limits commercial development potential; or
- (2) The proposed design includes recreational, public, or non-profit uses on the first floor that benefit and are accessible to the general public.

1 ***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that the***
2 ***provisions of this act shall become effective 61 days after enactment.***

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BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on June 8, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council



Howard County

Internal Memorandum

SUBJECT: Council Bill 7-2011(ZRA-121)
*Amends the Ho Co Zoning Regs to Permit Increased
Residential Density on Certain CAC Zoned Parcels
OOL Tracking No. L11-031*

TO: Calvin Ball
Howard County Council

THROUGH: Margaret Ann Nolan
County Solicitor

FROM: Paul T. Johnson *PTJ*
Deputy County Solicitor

DATE: February 24, 2011

I have reviewed the attached Council Bill 7-2011 (ZRA 121) and it is legally sufficient.

PTJ:fml

Attachment

cc: Stephen LeGendre
Theodore Wimberly